

IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

MARK NEWBY,	§	
Plaintiff,	§	
	§	
V.	§	Consolidated Lead No. H-01-3624
	§	
ENRON CORP., et al.,	§	
Defendants.	§	
	§	
	§	
AMERICAN NATIONAL	§	
INSURANCE COMPANY, et al.,	§	
Plaintiffs,	§	
	§	
VS.	§	Civil Action No. G-02-0299
	§	
J. P. MORGAN CHASE & COMPANY,	§	
Defendant.	§	
J. P. MORGAN CHASE & COMPANY,	8 8 8 8	Civil Action No. G-02-0299

PLAINTIFFS AMERICAN NATIONAL INSURANCE COMPANY, ET AL.'S SECOND REQUEST FOR COURT CONSIDERATION OF SUPPLEMENTAL AUTHORITY

Plaintiffs, American National Insurance Company, et al., respectfully tender, and ask the Court's consideration of, the recent decision, *Basic Pension Plan, et al. v. Citigroup, Inc., et al.*, Bk. No. 01-16034 [Bankr. S.D.N.Y.], Case No. SA02-99911XX (C.D.Cal. March 4, 2003) (Findings of Fact and Conclusions of Law and Order Granting Motion for Remand and Denying Defendants' Motion for Transfer of Venue) in support of Plaintiffs' request for remand. The facts and legal issue of "related to" bankruptcy jurisdiction in this case are virtually identical to those presented in Plaintiffs' request for remand and strongly support Plaintiffs' request for remand of this action.

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In order to avoid the submission of duplicative documentation, the decision is not attached to this request but is attached to a similar request for consideration of this authority filed this date in the action *American National Insurance Company v. Arthur Andersen*, U.S. District Court, Houston Division; C.A. No. H-01-3624, G-02-0585. Plaintiffs American National Insurance Company, et al., request that the Court consider this supplemental authority when considering Plaintiffs' Motion for Reconsideration of this Court's decision to deny remand. Plaintiffs respectfully request a hearing on their Motion for Reconsideration and pray that this action be remanded to state court.

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Respectfully submitted,

GREER, HERZ & ADAMS, L.L.P.

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ATTORNEYS FOR PLAINTIFFS

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CERTIFICATE OF SERVICE

I hereby certify that on this the day of March, 2003, a copy of the forgoing document was served on all counsel of record by posting in PDF format to

www.esl13624.com.

By:

Steve Windso